

Appl. No. 09/688,281
Amdt. Dated February 2, 2005
Reply to Office action of January 4, 2005

Amendments to the Claims:

Listing of Claims:

This listing of claims replaces all prior versions, and listings, of claims in the application.

1. (currently amended) A method for influencing dynamic community shared elements of ~~content programming broadcast content~~ comprising:
 - a plurality of participants obtaining electronic votes that they may later cast, wherein the electronic votes are obtained independent of a poll;
 - a polling server periodically polling the plurality of participants over a network for their opinion concerning the content of programming;
 - the plurality of participants casting their respective electronic votes concerning the content of programming via the network;
 - the polling server receiving the electronic votes of the participants, tallying the electronic votes and reporting those results to a content server;
 - the content server receiving the votes and retrieving content based upon the opinion expressed by a majority of electronic votes; and
 - delivering the retrieved content to the participants.
2. (currently amended) The method for influencing dynamic community shared elements of ~~content programming broadcast content~~ of claim 1 wherein the content is selected from the group consisting of audio, video, on-line games and text.
3. (currently amended) The method for influencing dynamic community shared elements of ~~content programming broadcast content~~ of claim 1 wherein the content is created in real time.
4. (currently amended) The method for influencing dynamic community shared elements of ~~content programming broadcast content~~ of claim 1 wherein the content is stored content.
5. (currently amended) The method for influencing dynamic community shared elements of ~~content programming broadcast content~~ of claim 1 wherein obtaining electronic votes comprises the participants purchasing the electronic votes over the network.
6. (currently amended) The method for influencing dynamic community shared elements of ~~content programming broadcast content~~ of claim 1 wherein the obtaining electronic votes

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comprises the participants being given the electronic votes.

7. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 wherein the obtaining electronic votes comprises the participants purchasing electronic votes of differing values per vote over the network.

8. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 further comprising the polling server providing the results of the electronic votes cast by the participants over the network.

9. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 further comprising the plurality of participants forming sub-communities of participants for voting purposes.

10. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 9 further comprising the sub communities pre-voting over the network to determine the direction of the sub-communities voting.

11. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 further comprising the polling server reporting to the sub-community the results of the sub-community's voting over the network.

12. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 wherein the network is the Internet.

13. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 wherein the network is a cable TV network.

14. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 wherein the network is an RF network.

15. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1 wherein the network comprises a wired network and a wireless network, and wherein the participant vote via the wireless network.

16. (currently amended) A system for influencing dynamic community shared elements of ~~content programming~~ broadcast content comprising:

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a plurality of participant devices each associated with a participant connected to a network, the participant devices further comprising instructions for obtaining and casting electronic votes;

a transaction server connected to the network further comprising instructions for receiving requests from the participant devices to obtain electronic votes, and instructions for delivering electronic votes to the participant devices over the network independent of a poll sent by a polling server;

the polling server connected to the network for receiving the electronic votes from the participant devices in response to polls sent by the polling server;

the polling server further comprising instructions for receiving and tallying the electronic votes received from the participant devices, and reporting the tally; and

a content server connected to the polling server for receiving the tally of the electronic votes, the content server further comprising instructions for modifying content served to the participant devices in response to the tally of electronic votes.

17. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein the content is selected from the group consisting of audio, video, online games and text.

18. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein the content is created in real time.

19. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein the content is stored content.

20. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein the electronic votes are purchased by the participant via the participant device by the transaction server over the network.

21. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein the electronic votes are given to the participant devices by the transaction server over the network.

22. (currently amended) The system for influencing dynamic community shared elements

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of ~~content programming~~ broadcast content of claim 16 wherein the electronic votes comprise votes of different values.

23. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein participant devices further comprise instructions for casting the electronic votes in response to a poll served by the polling server.

24. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein the polling server further comprises instructions for reporting the results of the voting to the participant devices over the network.

25. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 16 wherein the polling server further comprises instructions for receiving requests from participant devices to form a sub-community of participant devices.

26. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 25 wherein the polling server further comprises instructions for permitting a pre-vote of the sub-community on a given poll.

27. (currently amended) The system for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 26 wherein the polling server further comprises instructions for reporting the sub-community vote to the participant devices of the sub-community.

28. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 7, wherein the plurality of participants casting their respective electronic votes comprises the plurality of participants casting their respective electronic votes of differing values per vote.

29. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1, wherein the plurality of participants obtaining electronic votes comprises the plurality of participants obtaining electronic votes before receipt of the poll from the polling server.

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30. (currently amended) The method for influencing dynamic community shared elements of ~~content programming~~ broadcast content of claim 1, wherein the plurality of participants obtaining electronic votes comprises the plurality of participants obtaining electronic votes after receipt of the poll from the polling server.

31. (currently amended) A method for influencing dynamic community shared elements of ~~content programming~~ broadcast content comprising:

- obtaining via a network an electronic vote for a participant account, wherein the vote may be cast at a later time and wherein the electronic vote is independent of a poll;
- issuing the poll from a polling server to a participant device via the network for an opinion concerning the content of a program;
- casting the electronic vote obtained for the participant account from the participant device to express the opinion concerning the content of the program via the network;
- receiving at the polling server the electronic vote from the participant device, tallying the electronic vote, and reporting a result to a content server, and
- receiving at the content server the result and retrieving content based upon the result.

32. (previously presented) A method for making choices by a group of participants comprising:

- obtaining via a network an electronic vote for a participant account at a participant device, wherein the vote may later be cast and wherein the electronic vote is independent of an opportunity to select a choice;
- presenting the participant device the opportunity to select a choice from a group of choices;
- casting the electronic vote obtained for the participant account from the participant device to express the choice made;
- receiving the electronic vote from the participant device, tallying the electronic vote, and reporting a result to a content server; and
- retrieving a selected choice from the group of choices based upon the result.

33. (previously presented) A system for making choices by a group of participants comprising:

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a participant device connected to a network, wherein the participant device is adapted to:

- receive a poll from a polling server presenting the participant an opportunity to select a choice from a group of choices;
- obtain an electronic vote for a participant account associated with a participant, wherein the vote may cast at a later time, and wherein the electronic vote is independent of the opportunity to select the choice;
- cast the electronic vote to express the selection made; and

the polling server adapted to:

- periodically poll the participant device over the network to provide the opportunity to select the choice;
- receive the electronic vote from the participant device;
- tally the electronic vote from other participant devices; and
- report a result to a selection server; and

the selection server adapted to:

- receive the result from the polling server;
- retrieve a selected choice from the group of choices based upon the result; and
- deliver the selected choice to the participant device.